



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, WA 98101

MAR 12 2001

Reply To
Attn Of: ECO-087

Samuel E. Penney, Chairman
Nez Perce Tribal Executive Committee
P. O. Box 305
Lapwai, ID 83540

Dear Chairman Penney:

On behalf of the Environmental Protection Agency (EPA), U.S. Army Corps of Engineers (Corps), and National Marine Fisheries Service (NMFS), this letter is in response to your January 26, 2001, letter expressing the Nez Perce Tribe's continued concerns regarding the NMFS 2000 Federal Columbia River Power System Biological Opinion's treatment of water quality. In the letter you expressed concern about the draft Water Quality Plan, Appendix B of the Biological Opinion.

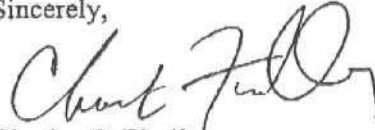
In developing the NMFS 2000 Biological Opinion, NMFS, in coordination with the EPA, U.S. Fish and Wildlife Service and the Federal action agencies (Corps; Bureau of Reclamation; and Bonneville Power Administration), considered the respective ecological objectives of the Endangered Species Act (ESA) and the Clean Water Act (CWA). In many instances actions implemented for the conservation of ESA-listed species will also move toward attainment of water quality standards (e.g. reducing total dissolved gas and temperature).

Appendix B, the Water Quality Plan, is an important first step in a challenging and long term commitment to improve water quality and recover species in the Columbia and Snake River Basin. EPA, NMFS and the Corps with the other federal agencies are beginning to engage with the states and tribes to develop an implementation plan for water quality improvement and species recovery. In addition, the Columbia/Snake River Mainstem dissolved gas and temperature Total Maximum Daily Load (TMDL) currently being developed by EPA, Idaho, Washington, Oregon and the Columbia Basin Tribes will also provide an important technical tool for federal, state and tribal water quality decisions.

EPA, NMFS and the Corps appreciate the continued engagement of the Nez Perce Tribe in these ongoing and future discussions and decisions. We welcome the Nez Perce Tribe's participation in the development and implementation of a Water Quality Plan for the Columbia and Snake River Mainstem that will definitively improve water quality. As stated in the January 26, 2001, letter from Chuck Findley and Donna Darm to Chairman Penney, it is our intent that tribal coordination meetings will continue to occur to share information on the Columbia River

ESA/CWA coordination efforts and the Mainstem TMDLs. Please feel free to contact Jim Ruff at NMFS (503-230-5437), Mary Lou Soscia at EPA (503-326-5873) or Dave Ponganis at the Corps (503-808-3828) if you would like any clarification or would like to discuss these issues.

Sincerely,



Charles E. Findley
Acting Regional Administrator

cc: Donna Darm
Acting Regional Administrator
NMFS

Brigadier General Carl A. Strock
Corps